

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 10TH NOVEMBER 2006 / 19TH KARTHIKA 1928

W.P.(C).No.10608 of 2006(S)

PETITIONER:-

BABU K.ABRAHAM, KANNODAM HOUSE,
RAYAMANGALAM P.O., KURUPPAMPADY.

BY ADV. SRI.N.K.KARNIS

RESPONDENTS:-

1. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.
2. DISTRICT COLLECTOR,
ERNAKULAM.
3. EXECUTIVE ENGINEER, P.W.D. ROADS DIVISION,
MUVATTUPUZHA.
4. ASSISTANT ENGINEER, P.W.D. ROADS SECTION,
KURUPPAMPADY.
5. TAHSILDAR, KUNNATHUNADU TALUK,
TALUK OFFICE, PERUMBAVOOR.

BY SENIOR GOVERNMENT PLEADER SRI.M.R.SABU.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 10/11/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

W.P.(C).NO.10608 OF 2006.

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 - TRUE COPY OF THE COMMUNICATION ISSUED BY THE 4TH RESPONDENT TO THE 5TH RESPONDENT BEARING NO.KY 182/03 DATED 25.3.2006.

EXT.P2 - TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PEOPLE OF THE LOCALITY, AT KEEZHILLAM AND KURICHILAKODE TO RESPONDENTS 2 TO 4 DATED NIL.

EXT.P3 - TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE KEEZHILLAM - KURICHILAKKODE ROAD SAMRAKSHANA SAMITHY BEFORE THE DISTRICT COLLECTOR, ERNAKULAM DATED NIL.

EXT.P4 - TRUE COPY OF THE NEWS ITEM PUBLISHED IN MALAYALA MANORAMA DAILY DATED 19.3.2006.

- TRUE COPY -

V.K.Bali,C.J. & S.Siri Jagan,J.

W.P.(C).No.10608 of 2006-S

Dated, this the 10th day of November, 2006

JUDGMENT

V.K.Bali,C.J. (Oral)

In this writ, which has been filed by way of Public Interest Litigation, the complaint of the petitioner is that respondents 1 to 4 while making improvements to Keezhillam - Kurichilakkode public road, had made a deviation only with a view to help the encroachers who have occupied the road. The deviation that shall be made would result into spending lot of more money than it would have been required if the road was constructed in the alignment earlier decided upon by the authorities.

2. Mr.M.R.Sabu, learned Government Pleader on instructions states that there was no deviation in the alignment of the road and the road shall be constructed as originally designed or devised.

In view of the statement made by the learned Government Pleader, the writ petition is closed.

Sd/-
V.K.Bali
Chief Justice

Sd/-
S.Siri Jagan
Judge

vk/-

- true copy -